UNITED STATES DISTRICT COURT	EASTERN DISTRICT OF TEXAS
SAMAD SEFIANE,	
Plaintiff,	9 8 8
versus	§ CIVIL ACTION NO. 1:21-CV-86
TAMERA CHAVIS, et al.,	8 8 8
Defendants.	§ §

MEMORANDUM ORDER OVERRULING OBJECTIONS AND ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Samad Sefiane, proceeding *pro se*, filed the above-styled civil rights lawsuit. The court previously referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to 28 U.S.C. § 636 and orders of this court.

The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge regarding this case. The magistrate judge recommends dismissing this case without prejudice pursuant to 28 U.S.C. § 1915(g)

The court has received the Report and Recommendation, along with the record, pleadings, and all available evidence. Plaintiff filed objections to the magistrate judge's Report and Recommendation. The court must therefore conduct a *de novo* review of the objections in relation to the pleadings and the applicable law.

Section 1915(g) prevents an inmate who previously had three or more cases or appeals dismissed as frivolous or for failure to state a claim upon which relief can be granted from bring a lawsuit on an *in forma pauperis* basis unless the inmate is under imminent danger of serious physical injury. In his objections, plaintiff states he is in imminent danger of serious physical injury because his incarceration is the result of a void conviction. However, plaintiff does not state that he has been threatened with physical injury or that his conditions of confinement expose

him to danger. As a result, the magistrate judge correctly concluded plaintiff is barred from proceeding with his lawsuit on an *in forma pauperis* basis.

ORDER

Accordingly, the objections filed by plaintiff in this matter are **OVERRULED**. The findings of fact and conclusions of law set forth in the report of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**. A final judgment shall be entered dismissing this lawsuit.

SIGNED at Beaumont, Texas, this 12th day of April, 2021.

MARCIA A. CRONE UNITED STATES DISTRICT JUDGE

Maria a. Crone